

REMARKS

The above amendments and these remarks are responsive to the Office action dated August 24, 2004. Claims 1-8 are pending in the application. In the Office action, claims 1-8 were rejected under 35 U.S.C. 103(a) based on German Pat. No. DE3832013A1 to Donkov in view of U.S. Pat. No. 6,743,063 to Gokan. Applicant thanks the Examiner for the careful consideration of the application. Applicant traverses the rejections, but nevertheless amends the claims as shown above. In view of the amendments above, and the remarks below, applicants respectfully request reconsideration of the application under 37 C.F.R. § 1.111 and allowance of the pending claims.

Claims 1-6, 8

Claims 1-6 and 8 are cancelled without prejudice.

Claim 7, 9-11

Claim 7 has been amended to more particularly recite the structure of the return port. Claim 7, as amended, recites that "the return port has a rear end connected to the oil pipe and is provided with a first hole extending forward in the front-rear direction of the watercraft and substantially horizontally from the rear end, and a second hole extending from the first hole in a direction to form substantially a right angle with respect to the first hole and is configured to have an opening which opens in a direction to form substantially a right angle with respect to the longitudinal direction of the oil tank within the oil tank." One exemplary embodiment illustrating such a construction is illustrated in Fig. 7, reproduced below.

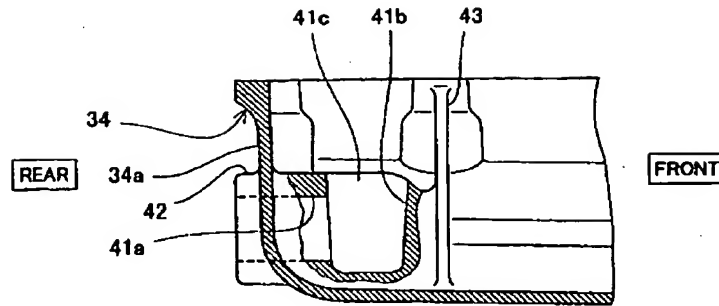
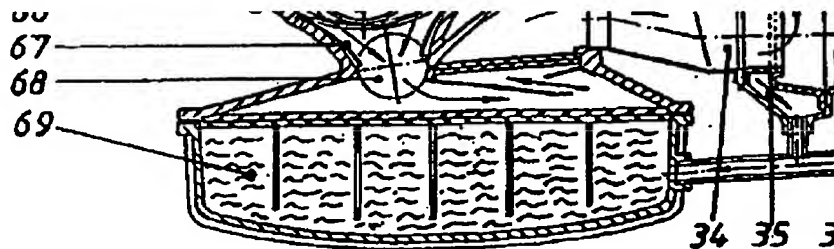


Fig. 7 of Subject Application

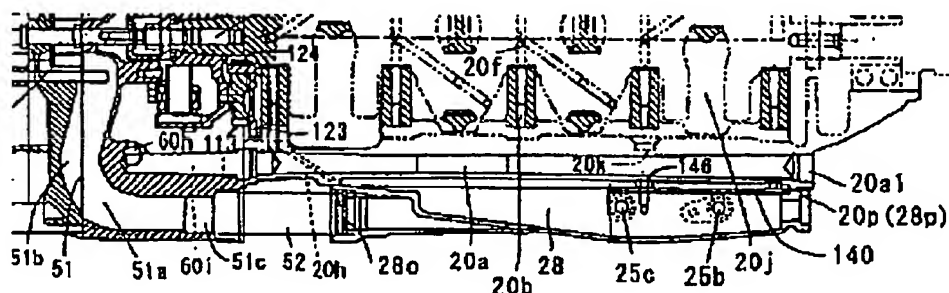
In contrast, the cited prior art does not disclose any return port with a first hole and a second hole formed at a right angle to each other in the orientation claimed. Fig. 2 of Donkov, reproduced below, appears to show a pipe for returning oil that is coupled to an oil tank by a return port that simply opens into side of the oil tank, without first and second holes forming the return port as claimed.



Detail of Fig. 2 of Donkov

Gokan discloses that "oil separated in the first and the second sub-breather chambers 67, 77 enters into the ACG chamber 110c through the return path 67d, then through the aforementioned return path 20h." (Col. 15, Line 62 et seq.) Fig. 5, reproduced below, shows path 20h in dashed lines, as well as oil holes 25c and 25b through which oil is returned from the turbocharger. Neither return path 20h, hole 25c, nor hole 25b is oriented in the front rear direction of the watercraft where they intersect the oil pan, nor do any of return path 20h, hole

25c, nor hole 25b include a return port formed of first and second holes oriented as claimed.

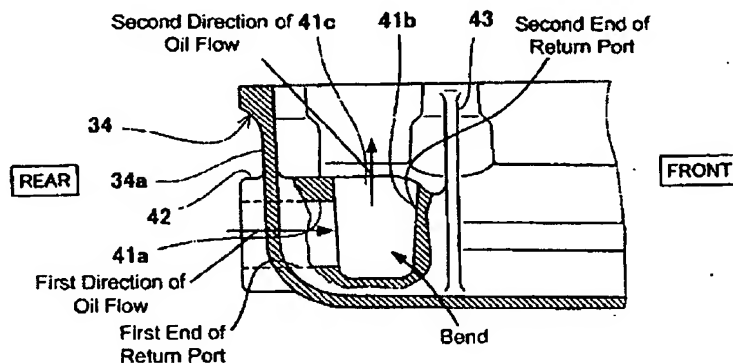


Detail of Fig. 5 of Gokan

In view of these differences, applicants respectfully submit that Donkov and Gokan, both alone and in combination, fail to disclose or suggest all of the features recited in amended claim 7. Therefore, applicants believe that amended claim 7, as well as newly added dependant claims 9-11, are allowable.

Claims 12-18

Applicant further presents new claims 12-18, which require that the return port is configured to guide oil through a wall of the oil tank in a first direction, and release oil into the tank in a second direction that is different from the first direction. The following annotated Fig. 7 illustrates one exemplary embodiment with this feature.



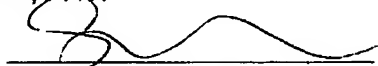
Annotated Fig. 7 of Subject Application

None of the cited references discloses a return port that changes the direction of the oil after it has passed through the wall of an oil tank. Indeed, none of the cited references disclose any return port that extends into an interior region of the oil tank at all. Therefore, applicants respectfully submit that claims 12-18 are allowable.

Applicants believe that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicants respectfully request that the Examiner issue a Notice of Allowability covering the pending claims. If the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record.

CERTIFICATE OF MAILING

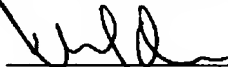
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on January 24, 2005.



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Respectfully submitted,

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